



Submitted via email to: DACinquiries@calepa.ca.gov

Yana Garcia
Secretary for Environmental Protection
California Environmental Protection Agency
1001 I Street, Sacramento, CA 95814

RE: Public Comment on the 2026 Preliminary Designation of Disadvantaged Communities — Request to Ensure the Designation Methodology Captures the Canal Neighborhood of San Rafael (Census Tracts 06041112202, 06041112203, and 06041112204)

Dear Secretary Garcia,

On behalf of Canal Alliance, I write regarding the 2026 designation of disadvantaged communities under Senate Bill 535. We have served Marin County's immigrant community for more than four decades. We appreciate the improvements in CalEnviroScreen 5.0, but the Canal neighborhood of San Rafael remains excluded from the designation, and that exclusion cannot be reconciled with the reality on the ground. We understand that designation follows defined categories rather than case-by-case selection, and it is for that reason we ask CalEPA to refine those categories so that flood-exposed, high-vulnerability communities like the Canal are no longer written out of the state's most consequential equity tool.

The Canal is one of the most under-resourced communities in the Bay Area.

Home to 13,000 to 15,000 residents, roughly 92 percent Hispanic, the Canal is a dense, working immigrant neighborhood carrying burdens rarely seen elsewhere in the county. As the Marin Community Foundation documents, roughly 35 percent of Canal residents live in poverty, more than four times the countywide rate of about 8 percent. Per capita income is about \$23,644, roughly one quarter of the countywide figure, a gap that reflects how severe overcrowding compresses many wage earners into single households. A majority of residents experience overcrowding, and only 43 percent of adults hold a high school diploma, compared to 93 percent countywide. And as the pages that follow make clear, the Canal's severe socioeconomic need is compounded by an environmental burden that is not merely regional but among the most acute in the nation.

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CalEPA cannot measure what its own tool does not yet see.

OEHHA has itself acknowledged, in its response to comments on CalEnviroScreen 5.0, that climate risk is not yet reflected in the tool and has committed to evaluating it in future versions. That admission is the heart of our concern, because the methodology that decides which communities are disadvantaged is blind to the single defining hazard facing shoreline communities: a rising bay and the tidal flooding that follows. For the Canal, this is no distant projection. Much of the neighborhood already sits at or below the level of the adjacent bay, held back only by aging and failing infrastructure, and residents wade through tidal flooding during king tides and winter storms today. This past January, tides topped eight feet, poured bay water into the neighborhood, and submerged vehicles in the street. To exclude the Canal on the strength of a score that cannot see the water already at residents' doorsteps is not a neutral data outcome. It is a designation built on a known and admitted blind spot.

The state's own climate tools already identify the Canal as highly vulnerable.

California does not lack the data to see the Canal; it is simply choosing not to use it for this designation. The Governor's Office of Land Use and Climate Innovation launched the Vulnerable Communities Platform in October 2025, the first California-specific tool to combine climate-hazard data, explicitly including flooding and sea level rise, with social-vulnerability data to pinpoint the communities most at risk today and in 2050. On that platform, the Canal registers as an area of both high climate hazard and high social vulnerability. State and regional planners have reached the same conclusion, identifying the Canal as the most flood-vulnerable neighborhood in San Rafael, and the City, the County, and Canal Alliance are already engaged together in sea level rise adaptation planning for it. The disadvantaged community designation should not trail behind the state's own best science.

Every other measure of disadvantage already recognizes the Canal.

Until the current federal administration abandoned its commitment to environmental justice and stripped its own screening tools from public use, the U.S. Environmental Protection Agency identified the Canal, without hesitation, as among the most burdened communities in the nation. Under EPA's EJScreen, the Canal ranked at or above the 90th percentile for a battery of environmental indicators, including air toxics and proximity to hazardous waste, and at the 95th percentile for flood risk, the precise hazard CalEnviroScreen refuses to measure. EPA's Inflation Reduction Act Disadvantaged Communities Map designated all three Canal tracts as disadvantaged, and on the strength of that record, Canal Alliance was

awarded a \$499,997 EPA Environmental Justice Collaborative Problem-Solving grant in 2024. The contrast could not be sharper: a federal tool that accounts for flooding placed the Canal in the top five percent of the entire country, while the state tool that ignores flooding cannot see it at all. California should not allow a federal retreat from environmental justice to become the ceiling for its own ambition.

The federal Opportunity Zone program likewise designates the Canal as an economically distressed community, with three of San Rafael's five eligible tracts located in the neighborhood, and under California's own AB 1550 and SB 535 framework it already qualifies as a low-income priority population. When a single screening tool contradicts nearly every other state and federal measure applied to the same neighborhood, the honest conclusion is not that the community is thriving. It is that the tool has a blind spot.

We do not raise this concern alone. In April 2026, an unprecedented regional coalition of 32 community-based organizations and local governments, convened by Brightline Defense, formally urged CalEPA to correct CalEnviroScreen's failure to capture well-known communities of need, naming both the Canal and Marin City among the “inexplicable gaps” in the designation. We stand in full solidarity with that coalition and with its call for CalEPA to more accurately account for the cumulative burdens, including housing cost burden, linguistic isolation, and economic vulnerability, that dense urban communities across the Bay Area carry and that the current tool undercounts. The Canal's exclusion is not an isolated error; it is one example of a systemic gap the coalition has documented across the region. We add to that shared record the Canal's distinct and defining burden: a rising bay that the tool cannot see at all.

The Canal's exclusion breaks the state's own investment pipeline.

The designation CalEPA controls reaches far beyond OEHHA's own work; it quietly determines eligibility for funding programs across state government. Our own experience shows how. Canal Alliance is the managing stakeholder for the Marin Climate Justice Collaborative, which received a \$996,390 Strategic Growth Council Regional Climate Collaboratives (RCC) grant to build climate resilience capacity in two partner communities: the Canal and Marin City. Through that grant, we are developing the Nuestro Canal, Nuestro Futuro neighborhood vision plan for the Canal and advancing the Forever Marin City vision plan for Marin City. This is exactly how the state's climate programs are meant to work in sequence: RCC funds a community to plan, and the Transformative Climate Communities (TCC) program then funds it to build. RCC qualified the Canal and Marin City under the

broad “under-resourced” standard, which includes low-income communities. TCC, however, is open only to designated disadvantaged communities, and its eligibility flows directly from the CalEnviroScreen-based designation at issue in this comment. Because the Canal clears the first standard but not the second, it can plan with state dollars but cannot build with them. The state paid to draw the blueprints and then bolted the door to construction. The remedy lies entirely within CalEPA's hands: because TCC and other programs key their eligibility to this designation, designating the Canal would reopen that door, and doors like it across state government, without any other agency having to change a single rule.

The 2026 categories leave a gap that only a methodology change can close.

We understand the 2026 designation reaches communities through defined categories: tracts in the top 25 percent of overall scores, the top 5 percent of pollution burden scores, and those overlapping a 2022 disadvantaged community. Because the Canal was never designated in 2022, and because its overall score is held down by the very omission of climate risk described above, not one of these categories reaches it, even as the danger has only deepened. The remedy we seek is not a one-off exception carved out for a single neighborhood. It is a durable category that reflects climate vulnerability, squarely within the broad discretion SB 535 grants CalEPA to develop its own designation criteria.

Our requests.

To ensure the Canal is not excluded for the duration of this designation cycle, we respectfully ask that CalEPA take immediate action in this designation, and commit to a durable fix going forward:

Immediately, in finalizing the 2026 designation:

1. Adopt a supplemental designation category, comparable to the existing top-five-percent pollution burden category, that captures census tracts—including the Canal—burdened with both high climate hazard and high social vulnerability, as identified by the state's Vulnerable Communities Platform.
2. In doing so, account for the fact that this designation cascades across state programs, including the Transformative Climate Communities program, so that designating the Canal would by itself restore its eligibility for implementation funding and allow RCC-funded communities like the Canal and Marin City to advance from state-funded planning to construction, without any other program having to change its rules.

Going forward:

3. Direct OEHHA to incorporate climate risk, including sea level rise and tidal flooding, into the next version of CalEnviroScreen, and, in the spirit of the reforms championed by Brightline Defense and its regional coalition, to systematically reform CalEnviroScreen to address its failure to adequately capture environmental justice communities, particularly in the Bay Area region
4. Continue engaging directly with Canal and Marin City residents and the organizations that serve them as the methodology and designation are finalized.

The disadvantaged community designation is the state's authoritative statement about which communities need help most, and it governs access to billions of dollars in climate investment. SB 535 was written to reach precisely the communities the Canal and Marin City represent, and the state's own newest tools, its federal counterparts, and a 32-organization coalition already recognize their vulnerability. California has invested nearly one million dollars to build a climate resilience pipeline here; it should not be the one to abandon it. We ask CalEPA to close the methodological gap that keeps that investment from reaching the residents who did the work, and to act in this designation, not a future one, because the water is already rising. We welcome the chance to provide additional data, and we invite CalEPA staff to stand in the Canal at high tide and see for themselves the community this map is missing.

Respectfully,



Omar Carrera
Chief Executive Officer